

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN RE: AKHTER HUSAIN,
FARAH HUSAIN,
Debtor(s). Chapter 7
Case No. 06-32952-KRH

**ORDER DISAPPROVING REAFFIRMATION AGREEMENTS AND
DECLARING SAME UNENFORCEABLE**

This matter came before the Court on two reaffirmation agreements filed in this case which have each been executed by the debtors, Akhter and Farah Husain (“Debtors”) and by the affected creditors, but not by Debtors’ counsel. For the reasons set forth in the Court’s Memorandum Opinion issued this day in this case, the Court having found that there are no grounds for the Court to overrule the presumption that the reaffirmation agreements impose an undue hardship on the Debtors,

It is hereby **ADJUDGED, ORDERED AND DECREED** that each of the reaffirmation Agreement(s) (as identified and defined in the Memorandum Opinion) shall be and it hereby is DISSAPPROVED and declared UNENFORCEABLE.

IT IS FURTHER ORDERED that Debtors, having fully and timely complied with their duties under §§ 521(a)(6) and 362(h) of the Bankruptcy Code with respect to the claim held by Toyota Motor Credit Corporation (“TMCC”) and the claim held by Branch Banking and Trust Company (“BB&T”), the provisions of § 521(d) of the Bankruptcy Code are inapplicable to the Debtors’ case; and, accordingly, neither BB&T nor TMCC may repossess the vehicles that secure their respective loans to Debtors solely on the basis of a default under any *ipso facto* clause that may exist in their notes or in the related loan documents that might occasion an event of default upon the commencement of a bankruptcy proceeding by or the insolvency of Debtors.

The Clerk shall transmit a copy of this Order to those on the attached service list.

ENTERED: _____

/s/ Kevin R. Huennekens
UNITED STATES BANKRUPTCY JUDGE

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